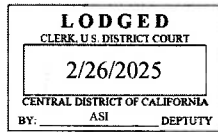


AO 91 (Rev. 11/11) Criminal Complaint (Rev. by USAO on 3/12/20)

☐ Original ☐ Duplicate Original

UNITED STATES DISTRICT COURT



for the

Central District of California



United States of America

v.

LUIS ENRIQUE BARRETO,

Defendant

Case No. 2:25-mj-01008-DUTY

**CRIMINAL COMPLAINT BY TELEPHONE
OR OTHER RELIABLE ELECTRONIC MEANS**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the dates of February 24, 2025 in the county of Los Angeles in the Central District of California,
the defendant violated:

Code Section

18 U.S.C. § 2250(a)

Offense Description

Failure to Register Under the Sex
Offender Registration and Notification
Act

This criminal complaint is based on these facts:

Please see attached affidavit.

☒ Continued on the attached sheet.

/s/ Leonel Luna

Complainant's signature

Leonel Luna, Deputy United States Marshal

Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone.

Date:

2/26/2025

[Signature]
Judge's signature

City and state: Los Angeles, California

Hon. Jacqueline Chooljian, U.S. Magistrate Judge

Printed name and title

AUSA: Sophia Carrillo (x0546)

AFFIDAVIT

I, Leonel Luna, being duly sworn, declare and state as follows:

I. PURPOSE OF AFFIDAVIT

1. This affidavit is made in support of a criminal complaint and arrest warrant against Luis Enrique Barreto ("BARRETO"), for a violation of Title 18, United States Code, Section 2250(a): Failure to Register Under the Sex Offender Registration and Notification Act ("SORNA").

2. The facts set forth in this affidavit are based upon my personal observations, my training and experience, and information obtained from various law enforcement personnel and witnesses. This affidavit is intended to show merely that there is sufficient probable cause for the requested complaint and arrest warrant and does not purport to set forth all of my knowledge of or investigation into this matter. Unless specifically indicated otherwise, all conversations and statements described in this affidavit are related in substance and in part only.

II. BACKGROUND OF AFFIANT

3. I am a Deputy U.S. Marshal ("DUSM") with the United States Marshal Service ("USMS"), and have been so employed since December 2010. I am currently assigned to the Sex Offenders Investigative Branch in the Los Angeles Office, Central District of California. During the twenty-five weeks of training I completed at the Federal Law Enforcement Training Center in Glynco, Georgia, I received specific training in the areas of fugitive apprehension, interviews, interrogations, affidavit

writing and legal matters, to include searches and seizures. Prior to becoming a DUSM, I was employed as a Detention and Removal Officer ("DRO") for Immigration and Customs Enforcement ("ICE") within the United States Department of Homeland Security. As a DRO, I attended a law enforcement academy for a total of thirteen weeks and I received extensive training in immigration law and investigations.

4. During my employment as a DUSM, I have conducted and participated in numerous investigations of criminal activity and fugitive apprehension. My responsibilities include investigating individuals who are convicted sex offenders that have failed to register as required by SORNA, and I have conducted numerous investigations of individuals who are in violation of sex offender registration statutes.

III. SUMMARY OF PROBABLE CAUSE

5. On April 12, 2012, BARRETO was convicted in the Superior Court of California, County of Orange, of violating Section 288(c)(1) of the California Penal Code (Lewd Act Upon A Child). As a result of that conviction, BARRETO is required to register as a sex offender. BARRETO was warned at least twice about his duty to register as a sex offender. First, on or about March 12, 2012, BARRETO was notified that he was subject to registration as a sex offender in any state in which he resided. BARRETO signed the Sex Offender and Treatment Notification form following his sex offense conviction. Second, on or about September 9, 2021, I interviewed BARRETO while BARRETO was in ICE custody in San Bernardino, California and

BARRETO affirmed that his public defender from his 2012 case told him of his registration requirements. BARRETO told me he assumed a false identity and did not register in California. BARRETO was removed by ICE on September 9, 2021, from California back to Mexico. In July 2022, I received information that BARRETO returned to California. Since then, BARRETO has not registered as a sex offender with his local police department, nor with any other police department in California.

IV. STATEMENT OF PROBABLE CAUSE

6. Based on my review of law enforcement reports, conversations with other law enforcement agents, and my own knowledge of the investigation, I am aware of the following:

A. BARRETO's Conviction for Lewd Act Upon a Child

7. As I understand from having reviewed BARRETO's criminal history report, the Indictment and Judgment and Commitment Order from the Superior Court of California, County of Orange, case number 11 NF 3176, and the registration documents associated with that case:

a. On or about October 12, 2011, BARRETO was arrested by the Anaheim Police Department in Anaheim, California, for a violation of California Penal Code Section 288(c)(1), Lewd Act Upon a Child. On April 12, 2012, BARRETO was convicted in the Superior Court of California, County of Orange, case number 11 NF 3176, of that same crime. Following his conviction, BARRETO was incarcerated for a term of 365 days.

b. On or about March 12, 2012, before BARRETO's release, BARRETO signed the Sex Offender and Treatment

Notification form, which notified him that "You are subject to registration as a sex offender in any state which you reside, are employed, carry on a vocation, or are a student."

B. BARRETO Admits that He Failed to Register

8. On September 9, 2021, I interviewed BARRETO in the ICE office in San Bernardino, California. Based on my own recollection of the interview and my reports, I am aware of the following:

a. I immediately read a Miranda statement of rights in English to BARRETO. BARRETO acknowledged his rights and agreed to answer my questions without the presence of counsel.

b. BARRETO confirmed his previous arrest and conviction in California for Lewd Act Upon a Child. BARRETO stated that he considered registering when he moved to the Moreno Valley area but did not.

C. BARRETO Has Lived in California Without Registering

9. In July 2022, I received information that BARRETO had returned to California, but I was unable to confirm that fact. Then, in January 2023, I received information that BARRETO was working in Riverside County. In August 2023, BARRETO was located in Moreno Valley and was removed from the United States. In February 2025, I learned from an ICE deportation officer that BARRETO was located by ICE surveillance at a residence in Moreno Valley.

10. I know from reviewing the California Sex Offender and Arson Registry Database that BARRETO did not register between his August 2023 deportation and when he was located by ICE in

February 2025. There is no entry for any registration between those time periods.

V. CONCLUSION

11. For all the reasons described above, there is probable cause to believe that BARRETO has committed a violation of 18 U.S.C. § Section 2250(a): Failure to Register Under the Sex Offender Registration and Notification Act ("SORNA").

Attested to by the applicant in
accordance with the requirements
of Fed. R. Crim. P. 4.1 by
telephone on this 26th day of
February 2025.


HON. JACQUELINE CHOOLJIAN
UNITED STATES MAGISTRATE JUDGE